



STATE OF NEW JERSEY
Board of Public Utilities
Two Gateway Center
Newark, NJ 07102
www.nj.gov/bpu/

CUSTOMER ASSISTANCE

CLAYTON PIERCE,)	ORDER ADOPTING INITIAL DECISION
PETITIONER,)	SETTLEMENT
v.)	
)	
VERIZON NEW JERSEY INC.,)	BPU DOCKET NO. TC09030183U
RESPONDENT.)	OAL DOCKET NO. PUC5371-09

(SERVICE LIST ATTACHED)

BY THE BOARD:

On March 4, 2009, Clayton Pierce (Petitioner) filed a petition with the New Jersey Board of Public Utilities (Board) disputing a billing of Verizon New Jersey Inc. (Respondent).

After the filing of Respondent's answer, the Board transmitted this matter to the Office of Administrative Law (OAL) for hearing and initial disposition as a contested case pursuant to N.J.S.A. 52:14B-1 et seq. and N.J.S.A. 52:14F-1 et seq. This matter was assigned to Administrative Law Judge (ALJ) Irene Jones.

While this matter was pending at the OAL, the parties engaged in negotiations and entered into and executed a Stipulation of Settlement (Settlement) dated July 29, 2009, which was subsequently submitted to the ALJ. By Initial Decision issued on August 20, 2009, and submitted to the Board on August 26, 2009, ALJ Jones found that the Agreement was voluntary and that its terms fully disposed of all issues in controversy.

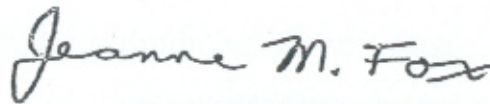
Pursuant to the terms of the Settlement, Respondent has agreed to provide a credit in the amount of \$750.00 against Petitioner's account when either: (a) Petitioner has reduced his bill to a zero balance by way of a single payment; or (b) when Petitioner has reduced his bill to a zero balance by following the payment plan now in effect which is scheduled through approximately November 2009. In return, Petitioner and his wife agreed that this Settlement settles all differences with, and all claims against, Respondent at the time of the execution of the Settlement and that the petition in this matter is to be withdrawn with prejudice.

After review and consideration of the Initial Decision and the findings of ALJ Jones, the Board hereby FINDS that the Settlement meets the requirements of N.J.A.C. 1:1-18.1.

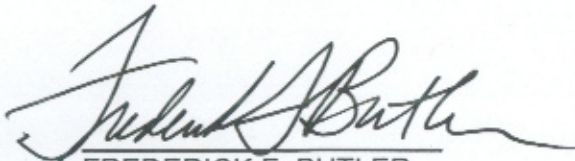
After a review and consideration of the Initial Decision and the Settlement of the parties, the Board HEREBY FINDS that, by the terms of the Settlement, the parties have resolved all outstanding contested issues. Accordingly, the Board HEREBY ADOPTS the Initial Decision and the Stipulation of Settlement of the parties in their entirety as if fully set out herein. This matter is therefore deemed to be DISMISSED with prejudice.

DATED: 9/16/09

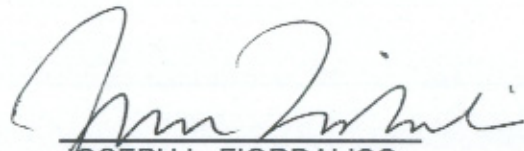
BOARD OF PUBLIC UTILITIES
BY:



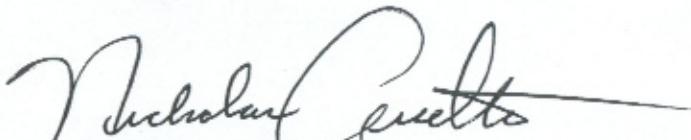
JEANNE M. FOX
PRESIDENT



FREDERICK F. BUTLER
COMMISSIONER



JOSEPH L. FIORDALISO
COMMISSIONER



NICHOLAS ASSELTA
COMMISSIONER



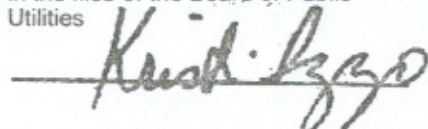
ELIZABETH RANDALL
COMMISSIONER

ATTEST:



KRISTI IZZO
SECRETARY

I HEREBY CERTIFY that the within
document is a true copy of the original
in the files of the Board of Public
Utilities



CLAYTON PIERCE

v.

VERIZON NEW JERSEY INC.

BPU Docket No. TC009030183U

OAL Docket No. PUC5371-09

SERVICE LIST

Clayton Pierce
3 Robin Road
Fanwood, New Jersey 07023-1626

Richard A. Chapkis, Esq.
Verizon New Jersey Inc.
540 Broad Street, Floor 20
Newark, New Jersey 07102

Eric Hartsfield, Director
Julie Ford-Williams
Division of Customer Assistance
Board of Public Utilities
Two Gateway Center
Newark, New Jersey 07102

Kerri Kirschbaum, DAG
Division of Law
124 Halsey Street
P.O. Box 45029
Newark, New Jersey 07102



State of New Jersey
OFFICE OF ADMINISTRATIVE LAW

CNIS

. BBSGW

DAC.

RPH

~~J. JORD WILLIAMS~~

(2)

CLAYTON PIERCE

Petitioner,

v.

VERIZON NEW JERSEY, INC.,

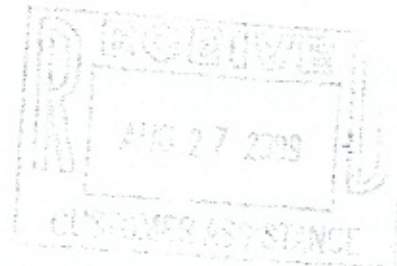
Respondent.

INITIAL DECISION

SETTLEMENT

OAL DKT. NO. PUC 5371-09

AGENCY DKT. NO. TC09030183U



Clayton Pierce, petitioner, pro se

Richard Chapkis, Esq., for respondent (Verizon New Jersey, Inc., attorney)

Record Closed: July 29, 2009

Decided: August 20, 2009

BEFORE IRENE JONES, ALJ:

On May 7, 2009, this matter was transmitted to the Office of Administrative Law (OAL) for hearing as a contested case pursuant to N.J.S.A. 52:14B-1 to -15 and N.J.S.A. 52:14F1 to -13.

A settlement conference was scheduled for July 29, 2009 and during that time, the parties agreed to settle the matter. The Stipulation of Settlement indicating the terms of settlement was signed by the parties and is attached hereto.

I have reviewed the record and the terms of the Stipulation of Settlement and I **FIND.**

The parties have voluntarily agreed to the settlement as evidenced by the signatures of the parties or their representatives.

2. The settlement fully disposes of all issues in controversy and is consistent with law.

Therefore, it is **ORDERED** that the parties comply with the settlement terms and that these proceedings be and are hereby concluded.

I hereby **FILE** my initial decision with the **BOARD OF PUBLIC UTILITIES** for consideration.

This recommended decision may be adopted, modified or rejected by the **BOARD OF PUBLIC UTILITIES**, which by law is authorized to make a final decision in this matter. If the Board of Public Utilities does not adopt, modify or reject this decision within forty-five (45) days and unless such time limit is otherwise extended, this recommended decision shall become a final decision in accordance with N.J.S.A. 52:14B-10.

8/20/09
DATE

Date Received at Agency: 8/26/09

Date Mailed to Parties:

sej

Irene Jones
IRENE JONES, ALJ
Florence Xiong

STIPULATION
OF
SETTLEMENT

OAL Case - PUC 5371-09

the parties to the above referenced matter,
having settled their differences, do
hereby agree as follows: EVP
RPE

- (1) Verizon shall provide a credit for
of \$750 against the bill of
Clayton Pierce when either of the
following circumstances occur:
(a) Mr. Pierce's **VERIZON** bill is
reduced to a zero balance
either by way of a single
payment; or
(b) Mr. Pierce's Verizon bill
is reduced to a zero balance
following the payment plan
currently in place and which
is scheduled until approximately
November, 2009;

- (2) Petitioner Clayton Pierce and his
wife, Evelyn agree that this
document settles all differences
between them* and all claims in
dispute between them* at the
present time; and,

- (3) Petitioner Clayton Pierce and his
wife, Evelyn hereby withdraw
their request for a hearing in
this matter, WITH PREJUDICE.

1/29/09
WITNESS:

Thomas E. Clancy
THOMAS E. CLANCY
ALJ.

Clayton S. Pierce
CLAYTON PIERCE

Evelyn Pierce
EVELYN PIERCE

Richard H. Chapkis
Richard Chapkis, Esq.
ATTY FOR VERIZON

* between the Pierces and Verizon

COPY



State of New Jersey
OFFICE OF ADMINISTRATIVE LAW
33 Washington Street
Newark, New Jersey 07102
(973) 648-6008
(973-648-6058)

Robert J. Giordano, ALJ &
Manager of Organizational Development

COPY

RECEIVED
MAIL ROOM
09 AUG 24 PM 3:58
BOARD OF PUBLIC UTILITIES
NEWARK, N.J.

2009 AUG 26 AM 9:17
BOARD OF PUBLIC UTILITIES
NEWARK, N.J.

NORTH

Date AUG 21 2009

Re: Initial Decisions for Receipt

We are hereby forwarding to you the following decisions from the office of Administrative Law. **Receipt is acknowledged as of the next business day of the date indicated below.** Should a listed decision not be included in this batch, please call 973-648-6008.

OAL Docket No. PUC

Case Name

5371-09

CLAYTON Pierce

1517-09

LARYN B. GILBERT

Board of Public Utilities
Two Gateway Center
Newark, New Jersey 07102

Date: 8/26/09

[Signature]
Board of Public Utilities